

PUBLIC HEARING

2006 July 25

A Public Hearing (Zoning) was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 2006 July 25 at 7:30 p.m.

PRESENT: Mayor D.R. Corrigan, In the Chair
Councillor G. Begin
Councillor P. Calendino
Councillor S. Dhaliwal
Councillor G. Evans
Councillor D.N. Johnston (*Arrived 7:45 p.m.*)
Councillor C. Jordan
Councillor L.A. Rankin
Councillor N.M. Volkow

STAFF: Mr. Jack Belhouse, Director Planning & Building
Ms. Ann Lorentsen, Administrative Officer Operations
Ms. Shelley Karakachuk, City Clerk's Department

The Mayor called the Public Hearing to order at 7:31 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 32, 2006" - BYLAW NO. 12116

Rez. #05-21

3151 Gilmore Diversion

Lot H, D.L. 69, Group 1, NWD Plan 23990

From: R5 Residential District and CD Comprehensive Development District (based on RM3 Multiple Family Residential District)

To: CD Comprehensive Development District (based on P2 Administration and Assembly District guidelines, and in accordance with the development plan entitled "Burnaby Fire Station No. 7" prepared by Musson Cattell Mackey Partnership)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a new Fire Station No. 7.

Mark Whitehead, Musson, Cattell, Mackey Partnership, 4000 W. 12th Avenue, Vancouver, representing the project consultant, appeared before Council to provide a brief overview of the project and site development.

Diana Gerbrandt, 201-4181 Norfolk Street, Burnaby appeared before Council members advising she represents a number of area residents who are opposed to the subject application.

**Councillor Johnston arrived at the Public Hearing at 7:45 p.m.

The speaker reviewed the application in relation to the following areas:

1. promotion of health, safety and welfare of the public;
 - proximity – concern about a fire station so close to a neighbourhood with families and seniors which will negatively affect the welfare of the neighbourhood
 - noise – exemption of fire station from noise bylaw; concern about noise from building operations, lights, engines and sirens from trucks; increased traffic noise 24 hrs a day; insufficient plans to minimize noise disruption and; lack of regulation
 - traffic – allowance for future driveway for the Fire Station onto Norfolk Street will increase traffic and creates safety concerns for pedestrians, children and seniors.
2. prevention of the overcrowding of land and preservation of the amenities peculiar to a zone;
 - site selection - although close to Burnaby Hospital, overcrowding of the site and increased costs to address configuration and topography outweigh the benefit
3. securing of adequate light, air and access;
4. value of land and nature of its present prospective use and occupancy;
 - concerned about potential to change nature of neighbourhood from residential to industrial
 - loss of trees on site would expose their properties to the industrial area, thereby changing the nature of the neighbourhood;
5. character of each zone, existing buildings and suitability of the zone for particular uses;
 - removal of trees – residents have invested in this area because of the trees and suburban character of the neighbourhood
 - plan to plant smaller trees and shrubs and only 8 large dense trees is not sufficient to maintain the natural ‘green’ character of neighbourhood.
6. conservation of property values
 - within last year 8 properties were purchased at 4181 Norfolk Street with understanding it was an investment in a treed, suburban, residential neighbourhood
 - re-sale – without addressing the concerns about this bylaw the re-sale of properties is being put at risk.

In conclusion the speaker requested Council consider other locations for the fire hall, especially in consideration of environmental concerns such as eagles and a hawk living in trees on the site, conflict with existing zoning in the neighbourhood and the cost implication this site will have on the budget and taxes for the City of Burnaby.

Prior to the start of her presentation Ms. Gerbrandt had distributed to Council a copy of her presentation along with a number of form letters, containing the signatures of 19 residents. The text of the form letter is as follows:

“A Fire Station @ this location not only lowers property values but neglects and punishes the residents/voters who invested in RM3-R5 Residential zoned area. The needless punishment of the noise of trucks, sirens, horns, bells, construction, operation and maintenance of an emergency dispatch center and 24 vehicle parking stalls with a full staff of working employees and vehicles, 24 hrs/day/ 7days/week 366 days/year & all just 4.5 meters away from the closest residence; Does this make sense? Especially, considering the abundance of commercial/industrial zoned property in the immediate area. This bylaw also neglects and adds to the traffic needs of Gimore/Canada Way intersection in addition to not utilizing the access routes afforded in the Grandview Hwy. through to Henning Drive commercial/industrial areas. – Please reject and say no to Bylaw #12116”.

Amir Parandeh, 202-4181 Norfolk Street, Burnaby, appearing along with Ms. Gerbrandt, referred to the photographs included in the package circulated to Council and noted the significant number of trees on the site. Mr. Parandeh advised he was very concerned about the number of trees that would be removed and the impact this would have on area residents. The speaker concluded Council should consider other locations for the fire hall site.

Susan MacKenzie, 4150 Dominion Street, Burnaby appeared before members of Council in support of the comments expressed by the previous two speakers. Ms. MacKenzie advised that she has lived in the area for the past 10 years and is opposed to the proposed bylaw change as the application does not address concerns of residents about matters that may impact on their neighbourhood’s reputation.

There were no further submissions in relation to Rez. #05-21, Bylaw No. 12116.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #05-21, Bylaw No. 12116 be now terminated.”

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 33, 2006" - BYLAW NO. 12117

Rez. #05-42

7438, 7462 Royal Oak Avenue, 5229 Irmin Street and Portion of Lane Allowance

Lot “P”, D.L. 98, Group 1, NWD Plan 23774, Parcel “One” (BY44553E) of Lot “A”,
D.L. 98, Group 1, NWD Plan 9676, South Half Lot “A”, D.L. 98, Plan 9676

From: R5 Residential District

To: CD Comprehensive Development District (based on RM3 Multiple Family Residential District and the Royal Oak Community Plan, and in accordance with the development plan entitled "7462 Royal Oak" prepared by Matthew Cheng Architect Inc.)

The purpose of the proposed zoning bylaw amendment is to permit the construction of a 36-unit stacked townhouse development with underground parking.

Janet Pallotto, 7428 Royal Oak Avenue appeared before members of Council to express her frustration with the process of redevelopment within her neighbourhood. The speaker noted that, as the last single family property on the block, she feels harassed by realtors and developers attempting to purchase her property. Mr. Pallotto advised that, although she is not seeking to sell her property because she wishes to remain in the neighbourhood, she has not been satisfied with the purchase offers that have been made thus far.

Vineet Kirpal, Coldwell, Banker Realty appeared before members of Council to provide Council with a brief background regarding offers the applicant has made to Ms. Pallotto to purchase her property.

** Councillor Begin retired from the Public Hearing at 7:56 p.m.

Bim Singh, 5058 Irmin Street, Burnaby, the rezoning applicant, appeared before members of Council advising of his frustration regarding negotiations with Ms. Pallotto. Mr. Singh noted that, because Ms. Pallotto has rejected several offers to purchase and has indicated she does not wish to sell her property, they are no longer pursuing negotiations to purchase her property.

There were no further submissions in relation to Rez. #05-42, Bylaw No. 12117.

MOVED BY COUNCILLOR JOHNSTON:

SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing relating to Rez. #05-42, Bylaw No. 12117 be now terminated."

CARRIED UNANIMOUSLY

** Councillor Begin returned to the Public Hearing at 7:59 p.m.

3. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 34, 2006" - BYLAW NO. 12118

Rez. #04-65

7089 Lougheed Highway

Lot B, D.L. 59, Group 1, NWD Plan 15822

From: C6 Gasoline Service Station District

To: CD Comprehensive Development District (based on the C6b Gasoline Service Station District as guidelines and in accordance with the development plan entitled "Lougheed Highway & Bainbridge Avenue" prepared by Imperial Oil)

The purpose of the proposed zoning bylaw amendment is to permit the redevelopment of a gasoline service station with a retail convenience store.

** Councillor Rankin retired from the Public Hearing at 8:00 p.m.

Don Stenson, PlanArch Consulting Services, 1141 Adderley Street, North Vancouver appeared before Council advising that he has been retained by Imperial Oil to oversee plans for redevelopment of the existing service station located at the corner of Lougheed Highway and Bainbridge. Mr. Stenson advised that a full convenience store will be included in the design and the proposed service bays will encompass the existing bay area. In consideration of the residential property located to the north and east of the site extensive landscaping has been included in the development plan to create a buffer between to station and the residences.

In conclusion, Mr. Stenson advised he was accompanied by Mr. Ed Sitton, Manager Real Estate, Imperial Oil and they were available to answer any questions Council may have with regard to the application.

There were no further submissions in relation to Rez. #04-65, Bylaw No. 12118.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing relating to Rez. #04-65, Bylaw No. 12118 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 35, 2006" - BYLAW NO. 12119

Rez. #06-08

3292 Production Way

Lot A, D.L. 10, Group 1, NWD Plan BCP86

From: CD Comprehensive Development District (based on P2 Administration and Assembly District, B2 Urban Office District and C1 Neighbourhood Commercial District)

To: Amended CD Comprehensive Development District (based on P2 Administration and Assembly District, B2 Urban Office District, C1 Neighbourhood Commercial District and Lake City Business Centre guidelines and in accordance with the development plan entitled "Lake City Centre" prepared by Hotson Bakker Boniface Haden Architects + Urbanistes)

The purpose of the proposed zoning bylaw amendment is to revise the massing and design of the office building permitted by the current CD zoning (Rezoning Reference #00-40).

Don Chow, Hotson Bakker Boniface Haden Architects, 611 Alexander Street, Vancouver, the rezoning applicant, appeared before Council informing them that the proposed amendment will create a more efficient floor plate and reduce the mass of the building. Mr. Chow advised he was available to answer any questions Council may have with regard to this application.

There were no further submissions in relation to Rez. #06-08, Bylaw No. 12119.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR VOLKOW:

“THAT this Public Hearing relating to Rez. #06-08, Bylaw No. 12119 be now terminated.”

CARRIED UNANIMOUSLY

5. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 36, 2006" - BYLAW NO. 12120

Rez. #06-07

Ptn. of 8888 University Drive

Portion of Lot 1, D.L.'s 31, 101, 102, 141, 147, 209, 210 & 211, Group 1, NWD Plan BCP6258

From: P11e SFU Neighbourhood District

To: CD Comprehensive Development District (based on P8 Parking District, RM3 Multiple Family Residential District, C3 General Commercial District, P1 Neighbourhood Institutional District and SFU Community Plan guidelines and in accordance with the development plan entitled "SFU East Parkade" prepared by NSDA Architects)

The purpose of the proposed zoning bylaw amendment is to provide for a mixed-use building, including a car parkade, 75 residential units, retail and office commercial space, and a child care centre.

Dr. Rosen, 22 – 9229 University Crescent, Burnaby appeared before members of Council to express serious concerns about the subject application. The speaker noted that crossing University High Street and Tower Road has already become a challenge as those streets are feeling the pressure of extensive transit use and an increasing number of cars accompanying the new development in SFU Village. There is a park and proposed school site located across the street from the subject property and the speaker considers the high volume of pedestrian traffic to be a major conflict with the significant number of

vehicles expected to use the parkade. The subject property, located in close proximity to a school site, is not appropriate for parking use pointed out Dr. Rosen and questioned whether the School Board had been consulted about the proposal.

The speaker proposed that Council postpone the application until such time as University Trust has properly consulted with its new residents. There has been no explanation given to residents, noted the speaker, why this site is considered appropriate for a parkade and why consideration has not been given to locations that do not require vehicles to cross a street with high density, vehicular movement. What measures will be taken to mitigate interference between pedestrians and traffic questioned Dr. Rosen? A more practical location for the parkade would be a site on the inner circle the speaker suggested.

Dr. Rosen questioned whether there were plans for sidewalks, noting that there is no connection between the park site and University High Street and those persons biking to the campus must cross a busy intersection no matter what way you go. In conclusion, the speaker asked Council to give consideration to the impact such a large number of vehicles entering and exiting the area will have on the integrity of the neighbourhood.

Chris Hartman, SFU Community Trust, 8960 University High Street, Burnaby appeared before members of Council as the applicant for the subject rezoning change. At the onset Mr. Hartman noted for the record that there was still some fine-tuning to be done to the application and Community Trust will continue to work with Planning Department staff regarding the age mix and the associated final size requirement for the child care facility. The speaker advised that a parkade management study and a traffic management plan have been filed with the Planning Department indicating how traffic will be handled for this project. Mr. Hartman also noted that they have been working with City staff and the Burnaby School Board regarding drop off and pick up of children for the school.

In response to a query the speaker informed Council, access and egress to the parkade will be from Tower Road and University Crescent and speed mitigation measures will include a raised crossing to be installed at the intersection and pedestrian activated lights. In explaining why 1,300 parking spaces are requested for the parkade, Mr. Hartman advised that, in addition to providing the required parking for the daycare, residential units and retail, office/commercial units they are also providing spaces for the proposed school and church sites and a significant number of university staff/students spaces re-located from existing sites that are being re-developed.

Mr. Hartman confirmed with Council that he would provide the parking and traffic studies to Dr. Rosen for his information and further committed to the sidewalks proposed for the school/park site being installed prior to construction of the parkade. Lastly, the speaker informed Council that SFU Community Trust are working with Burnaby RCMP and making use of SPTED to ensure safety issues are incorporated into the design of the parkade which will be open 24/7.

There were no further submissions in relation to Rez. #06-07, Bylaw No. 12120.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #06-07, Bylaw No. 12120 be now terminated.”

CARRIED UNANIMOUSLY

6. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 37, 2006" - BYLAW NO. 12121

Rez. #06-24

8960 University High Street

Lot 2 Except: Part Subdivided by Air Space Plan BCP12692, D.L. 211, Group 1, NWD
Plan BCP6258

From: CD Comprehensive Development District (based on C3 and C3f General
Commercial District, RM4 Multiple Family Residential District)

To: Amended CD Comprehensive Development District (based on C3 and C3f
General Commercial District, RM4 Multiple Family Residential District, P1
Neighbourhood Institutional District and SFU Community Plan guidelines and in
accordance with the development plan entitled “Cornerstone Development”
prepared by NSDA Architects)

The purpose of the proposed zoning bylaw amendment is to permit leasing existing office
space in the Cornerstone Building to a church.

There were no submissions in relation to Rez. #06-24, Bylaw No. 12121.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #06-24, Bylaw No. 12121 be now terminated.”

CARRIED UNANIMOUSLY

7. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 38, 2006" - BYLAW NO. 12122

Rez. #06-28

8900 Nelson Way

Lot 1, D.L.’s 31, 101, 102, 141, 147, 209, 210 & 211, Group 1, NWD Plan BCP6258

From: CD Comprehensive Development District (based on M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M5 Light Industrial District, P6 Regional Institutional District and Discovery Parks (SFU Site) guidelines and in accordance with the development plan entitled "Proposed Renovation - Multi-Tenant Facility" prepared by The Colborne Architectural Group)

The purpose of the proposed zoning bylaw amendment is to add potential university and associated college uses to the currently permitted uses in the existing multi-tenant facility to provide greater flexibility in its use.

There were no submissions in relation to Rez. #06-28, Bylaw No. 12122.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing relating to Rez. #06-28, Bylaw No. 12122 be now terminated."

CARRIED UNANIMOUSLY

8. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 39, 2006" - BYLAW NO. 12123

Rez. #05-51

7411, 7431, 7451, 7481, 7531, 7585, and 7635 North Fraser Way (formerly Mandeville Avenue), 7410, 7418 and 7426 Hugh Drive

Lots 1, 2, 3, D.L. 166A, Group 1, NWD Plan 1751; Lot 19, D.L. 166A, Group 1, NWD Plan 41494; Lots C, D, E, D.L. 166A, Group 1, NWD Plan LMP40691; Lots 17, 16, 18 Except: Part on Plan 5734, District Lot 166A, Grp 1, NWD Plan 1751

From: M3 and M3a Heavy Industrial District and M2 General Industrial District

To: CD Comprehensive Development District (based on the M2 General Industrial District, M5 Light Industrial District and Big Bend Development Plan guidelines and in accordance with the development plan entitled "Comprehensive Plan of Development North Fraser Way – Tillicum Street to Abbotsford Street" prepared by Christopher Bozyk Architects Ltd. for the Canada Lands Company Ltd.)

The purpose of the proposed zoning bylaw amendment is to bring the subject lands into conformance with the adopted Big Bend Development Plan, to complete required servicing, and to provide a basis for future CD amendment rezoning applications for future specific development.

There were no submissions in relation to Rez. #05-51, Bylaw No. 12123.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #05-51, Bylaw No. 12123 be now terminated.”

CARRIED UNANIMOUSLY

** Councillor Rankin retired from the Public Hearing at 8:31 p.m. and did not return to the meeting.

9. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 40, 2006" - BYLAW NO. 12124

Rez. #06-10

8055 North Fraser Way

Lot 1, D.L. 167, Group 1, NWD Plan BCP 15933

From: CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District and Burnaby Business Park guidelines and in accordance with the development plan entitled "B.B.P. Strata" prepared by Weiler Smith Bowers Consulting Structural Engineers)

The purpose of the proposed zoning bylaw amendment is to permit the development of a multi-tenant office/warehouse facility.

There were no submissions in relation to Rez. #06-10, Bylaw No. 12124.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

“THAT this Public Hearing relating to Rez. #06-10, Bylaw No. 12124 be now terminated.”

CARRIED UNANIMOUSLY

10. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 41, 2006" - BYLAW NO. 12125

Rez. #06-01

8035 North Fraser Way

Lot 8, D.L. 167, Group 1, NWD Plan BCP 8603

From: CD Comprehensive Development District (based on M2 General Industrial District and M5 Light Industrial District)

To: Amended CD Comprehensive Development District (based on M2 General Industrial District, M5 Light Industrial District and Burnaby Business Park guidelines and in accordance with the development plan entitled "Tippet-Richardson" prepared by Weiler Smith Bowers Consulting Structural Engineers)

The purpose of the proposed zoning bylaw amendment is to permit the development of a records and equipment storage facility.

Shawn Wade, 6010 Tenth Avenue, Burnaby appeared before Council to inquire what type of equipment would be stored on the property.

Mr. Jack Belhouse, Director Planning and Building clarified that the equipment will be small types of equipment related to the storage of documents.

There were no further submissions in relation to Rez. #06-01, Bylaw No. 12125.

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT this Public Hearing relating to Rez. #06-01, Bylaw No. 12125 be now terminated."

CARRIED UNANIMOUSLY

Arising from comments made by the delegations related to Rez #05-21, Bylaw No. 12116 – 3151 Gilmore Diversion, Councillor Johnston was granted leave to introduce the following motion:

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR DHALIWAL:

"THAT staff prepare a report on concerns, related to the proposed Fire Station, raised at the Public Hearing regarding Bylaw No. 12116."

CARRIED UNANIMOUSLY

Arising from comments made by the delegation regarding Rez #06-07, Bylaw 12120 – Ptn of 8888 University Drive, Councillor Evans was granted leave to introduce the following motion:

MOVED BY COUNCILLOR EVANS:
SECONDED BY COUNCILLOR JOHNSTON:

"THAT staff prepare a report on the concerns raised at the Public Hearing regarding Bylaw No. 12120."

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON:
SECONDED BY COUNCILLOR JORDAN:

“THAT this Public Hearing do now adjourn.”

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:40 p.m.

Confirmed:


MAYOR

Certified Correct:


ADMINISTRATIVE OFFICER OPERATIONS